



January 5, 2010

HOUSE BILL No. 1003

DIGEST OF HB 1003 (Updated December 15, 2009 9:44 am - DI 92)

Citations Affected: IC 12-8; IC 12-13; IC 12-15.

Synopsis: Contracting of public assistance eligibility. Prohibits the office of the secretary of family and social services, the division of family resources, and the office of Medicaid policy and planning to contract with another person to administer or process eligibility intake for specified programs. Exempts from the prohibition a health care provider who determines that an individual is presumptively eligible for Medicaid as allowed in the Medicaid state plan. Repeals a requirement that a contractor of the specified programs make certain reports.

Effective: Upon passage.

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November 17, 2009, read first time and referred to Committee on Ways and Means.
January 5, 2010, amended, reported — Do Pass.

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HB 1003—LS 6192/DI 104+



January 5, 2010

Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1003

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-8-1-7.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 7.5. (a) Except as provided in subsection**
4 **(b), the office of the secretary may not contract with a person to**
5 **administer or process eligibility intake for the following programs:**
6 (1) **The federal Supplemental Nutrition Assistance program**
7 **(SNAP).**
8 (2) **The Temporary Assistance for Needy Families (TANF)**
9 **program.**
10 (3) **The Medicaid program.**
11 (b) **A health care provider may make a determination that an**
12 **individual is presumptively eligible for the Medicaid program as**
13 **allowed in the Medicaid state plan.**
14 SECTION 2. IC 12-13-5-3.5 IS ADDED TO THE INDIANA CODE
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
16 UPON PASSAGE]: **Sec. 3.5. Except as provided in IC 12-8-1-7.5(b),**
17 **the division may not contract with a person to administer or**

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- 1 **process eligibility intake for the following programs:**
- 2 **(1) The federal Supplemental Nutrition Assistance program**
- 3 **(SNAP).**
- 4 **(2) The Temporary Assistance for Needy Families (TANF)**
- 5 **program.**
- 6 **(3) The Medicaid program.**

7 SECTION 3. IC 12-13-7-1.5 IS ADDED TO THE INDIANA CODE
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: **Sec. 1.5. Except as provided in IC 12-8-1-7.5(b),**
 10 **the division may not contract with a person to administer or**
 11 **process eligibility intake for the following programs:**

- 12 **(1) The federal Supplemental Nutrition Assistance program**
- 13 **(SNAP).**
- 14 **(2) The Temporary Assistance for Needy Families (TANF)**
- 15 **program.**
- 16 **(3) The Medicaid program.**

17 SECTION 4. IC 12-15-1-4, AS AMENDED BY P.L.145-2006,
 18 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 UPON PASSAGE]: Sec. 4. (a) The office and the division of family
 20 resources shall formulate written protocols that specify the following:

- 21 (1) That the county offices are responsible for all eligibility
- 22 determinations made under the state Medicaid program.
- 23 (2) That the office is responsible for payment of a claim made
- 24 under the state Medicaid plan.

25 **(b) Except as provided in IC 12-15-30-1(b),** the office may enter
 26 into any contract to implement the state program.

27 SECTION 5. IC 12-15-30-1 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a) Except as**
 29 **provided in subsection (b),** the office may contract with another state
 30 agency or other persons to administer any part of the Medicaid
 31 program.

32 **(b) The office may not contract with a person to administer or**
 33 **process eligibility intake for the Medicaid program. However, a**
 34 **health care provider may make a determination that an individual**
 35 **is presumptively eligible for the Medicaid program as allowed in**
 36 **the Medicaid state plan.**

37 SECTION 6. IC 12-13-5-14 IS REPEALED [EFFECTIVE UPON
 38 PASSAGE].

39 SECTION 7. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1003, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, after "Sec. 7.5." delete "The" and insert "**(a) Except as provided in subsection (b), the**".

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"(b) A health care provider may make a determination that an individual is presumptively eligible for the Medicaid program as allowed in the Medicaid state plan."

Page 1, line 13, delete "The" and insert "**Except as provided in IC 12-8-1-7.5(b), the**".

Page 2, line 6, delete "The" and insert "**Except as provided in IC 12-8-1-7.5(b), the**".

Page 2, line 30, after "program." insert "**However, a health care provider may make a determination that an individual is presumptively eligible for the Medicaid program as allowed in the Medicaid state plan.**".

and when so amended that said bill do pass.

(Reference is to HB 1003 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 14, nays 10.

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